

## **REMARKS**

### Introductory Comments

As of the mailing date of the 10/05/2010 Office Action, claims 1-3, 5-27 and 32-34 were pending in the present Application, with claims 9, 11, 21, 23, and 27 having been withdrawn from consideration. In the present Amendment, claims 1, 2, 5, and 32 have been amended, leaving claims 1-3, 5-8, 10, 12-20, 22, 24-26, and 32-34 for consideration upon entry of the present Amendment. The claims have been amended as explained below. Reconsideration and allowance of the claims is respectfully requested in view of the foregoing amendments and the following remarks.

### Claim Amendments

Claim 1 has been amended to delete an extraneous comma that preceded the semicolon ending the clause beginning with “introducing”.

Claims 1, 5, and 32 have been amended to recite a pressure lower limit of 1 ton per square centimeter. Support for these amendments can be found, at least, in paragraph [0032] of the application as filed.

Claim 2 has been amended for consistency with amended claim 1.

### Obviousness Rejections over Weiss + Yamamoto '827

Claims 1, 15-20, 22, 24-26, and 32-34 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over U.S. Patent No. 5,294,667 to Weiss et al. (Weiss) in view of JP 2000-167827 to Yamamoto et al. (Yamamoto '827). Applicants respectfully traverse this rejection to the extent it may be applicable to the claims as currently amended.

Applicants respectfully assert that claims 1, 15-20, 22, 24-26, and 32-34 are patentable over Weiss and Yamamoto '827 because the cited references do not teach or suggest compression molding with a pressure of 1 to 50 tons per square centimeter.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a *prima facie* case of obviousness. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Establishing a *prima facie* case of obviousness requires that all limitations of the claim be taught or suggested by the prior art. *See, e.g., CFMT, Inc. v. Yieldup Intern. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003); *In re Royka*, 490 F.2d 981, 985 (C.C.P.A. 1974).

Claims 1 and 32, the only independent claims subject to the present rejection, each require a compression molding pressure of 1 to 50 tons per square centimeter. In contrast, the primary reference, Weiss, teaches compression molding at a pressure of 10 to 200 bar (Weiss, column 2, lines 21-22), which corresponds to 0.0102 to 0.204 ton per square centimeter. The addition of Yamamoto '827, which is cited for teaching particular aspect ratios of a compacted product, does not cure the deficiency of Weiss. The combination of Weiss and Yamamoto '827 therefore fails to support a *prima facie* case of obviousness against claim 1 and 32, and these claims are patentable over Weiss and Yamamoto '827. Claims 15-20, 22, 24-26, 33, and 34, which each depend ultimately from and further limit claim 1 or claim 32, are also patentable over Weiss and Yamamoto '827.

Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 1, 15-20, 22, 24-26, and 32-34 under 35 U.S.C. § 103(a) over Weiss and Yamamoto '827.

#### Obviousness Rejections over Weiss + Yamamoto '827 + The Handbook

Claims 2, 3, and 5-7 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Weiss in view of Yamamoto '827, and further in view of Modern Plastics Handbook, edited by Charles A. Harper, Knovel release date: November 20, 2002 (The Handbook). Applicants respectfully traverse this rejection to the extent it may be applicable to the claims as currently amended.

Applicants respectfully assert that claims 2, 3, and 5-7 are patentable over Weiss, Yamamoto '827, and The Handbook because the cited do not teach or suggest compression molding with a pressure of 1 to 50 tons per square centimeter.

Claims 2, 3, and 5-7 each depend ultimately from and further limit claim 1. As described above, the combination of Weiss and Yamamoto '827 does not support a *prima facie* case of obviousness against claim 1, because Weiss and Yamamoto '827 do not teach or suggest compression molding with a pressure of 1 to 50 tons per square centimeter. The combination of Weiss and Yamamoto '827 therefore fails to support a *prima facie* case of obviousness against claims 2, 3, and 5-7. The addition of The Handbook, which is cited for teaching compression molding cycle times, does not cure the deficiency of Weiss and Yamamoto '827. The combination of Weiss, Yamamoto '827, and The Handbook therefore fails to support a *prima facie* case of obviousness against claims 2, 3, and 5-7.

Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 2, 3, and 5-7 under 35 U.S.C. § 103(a) over Weiss, Yamamoto '827, and The Handbook.

#### Obviousness Rejections over Weiss + Yamamoto '827 + Gijzen

Claims 8, 10, and 12-14 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Weiss in view of Yamamoto '827, and further in view of U.S. Patent No. 6,359,043 to Gijzen (Gijzen). Applicants respectfully traverse this rejection to the extent it may be applicable to the claims as currently amended.

Applicants respectfully assert that claims 8, 10, and 12-14 are patentable over Weiss, Yamamoto '827, and Gijzen because the cited do not teach or suggest compression molding with a pressure of 1 to 50 tons per square centimeter.

Claims 8, 10, and 12-14 each depend ultimately from and further limit claim 1. As described above, the combination of Weiss and Yamamoto '827 does not support a *prima facie* case of obviousness against claim 1, because Weiss and Yamamoto '827 do not teach or suggest compression molding with a pressure of 1 to 50 tons per square centimeter. The combination of Weiss and Yamamoto '827 therefore fails to support a *prima facie* case of obviousness against claims 8, 10, and 12-14. The addition of Gijzen, which is cited for teaching additives and binders, does not cure the deficiency of Weiss and Yamamoto '827. The combination of Weiss,

Yamamoto '827, and Gijzen therefore fails to support a *prima facie* case of obviousness against claims 8, 10, and 12-14.

Applicants therefore respectfully request the reconsideration and withdrawal of the rejection of claims 8, 10, and 12-14 under 35 U.S.C. § 103(a) over Weiss, Yamamoto '827, and Gijzen.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance is respectfully requested.

It is believed that all the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' Attorneys.

Respectfully submitted,

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